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MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

August 5, 1971
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Butler presiding.

Roll call:

Present: Councilmen Dryden, Nichols, Love, Lebermann, Handcox, Mayor
Butler
Absent: Councilman Friedman

The Invocation was delivered by Reverend Keith Wright, Faith Presbyterian Church.

APPROVAL OF MINUTES

Councilman Nichols moved the Council approve the Minutes of the Regular Meeting of July 29, 1971. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Love, Lebermann, Nichols, Handcox, Mayor Butler
Noes: None
Absent: Councilman Friedman

ZONING HEARINGS

The Mayor announced it was 10:00 A.M., and the Council would hear the zoning cases scheduled for public hearing at this time. The Director of Planning reviewed each case, locating them in the area, describing the uses of surrounding properties, and adequacy of streets;

CENTRAL TEXAS
BUILDERS
By Mike Godfrey
C14-71-143

7004 Guadalupe St.

From "A" Residence to
"BB" Residence as
recommended by the
Planning Commission

Councilman Nichols moved the change be granted to "BB" Residence as recommended by the Planning Commission. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Handcox, Mayor Butler
Noes: None
Absent: Councilman Friedman

The Mayor announced that the change had been granted to "BB" Residence and the City Attorney was instructed to draw the necessary ordinance to cover.

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CHARLES GOLDMAN

1607 W. 39 $\frac{1}{2}$ St.

From "A" Residence
to "B" Residence as
recommended by the
Planning Commission

Councilman Nichols moved the change be granted to "B" Residence as recommended by the Planning Commission. The motion, seconded by Councilman Love, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Handcox, Mayor
Butler
Noes: None
Absent: Councilman Friedman

The Mayor announced that the change had been granted to "B" Residence and the City Attorney was instructed to draw the necessary ordinance to cover.

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COOGAN & WALTERS

By Benton Coopwood

8771 U.S. Hwy 183 No.

From "GR" General Retail,
First Height and Area District to "GR" General Retail,
Second Height and Area District as recommended by
the Planning Commission
for the area of the sign
only

Councilman Nichols moved the change be granted to "GR" General Retail, Second Height and Area District as recommended by the Planning Commission. The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Handcox, Mayor
Butler
Noes: None
Absent: Councilman Friedman

The Mayor announced that the change had been granted to "GR" General Retail, Second Height and Area District and the City Attorney was instructed to draw the necessary ordinance to cover.

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COOGAN & WALTERS

By Benton Coopwood
C14-71-151

4039 So. Lamar Blvd.

From "C", Commercial,
First Height and Area District to "C" Commercial,
Second Height and Area District as recommended by
the Planning Commission
for the area of the sign
only

Councilman Nichols moved the change be granted to "C" Commercial, Second Height and Area District as recommended by the Planning Commission. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Handcox, Mayor Butler
 Noes: None
 Absent: Councilman Friedman

The Mayor announced that the change had been granted to "C" Commercial, Second Height and Area District and the City Attorney was instructed to draw the necessary ordinance to cover.

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W. P. WATTS
 C14-71-152

108 W. 38th St.

From "A" Residence, First Height and Area District to "B" Residence, Second Height and Area District as recommended by the Planning Commission.

Councilman Nichols moved the change be granted to "B" Residence, Second Height and Area District as recommended by the Planning Commission. The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Handcox, Mayor Butler
 Noes: None
 Absent: Councilman Friedman

The Mayor announced that the change had been granted to "B" Residence, Second Height and Area District and the City Attorney was instructed to draw the necessary ordinance to cover.

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183 LIMITED
 By James A. Taylor
 C14-71-155

600-718 Morrow
 7600-7848 Guadalupe
 519-710 Anderson Ln.
 7601-7913 No. Lamar Boulevard

From "C" Commercial, First Height and Area District to "C" Commercial, Second Height and Area District as recommended by the Planning Commission

Councilman Nichols moved the change be granted to "C" Commercial, Second Height and Area District as recommended by the Planning Commission. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Handcox, Mayor Butler
 Noes: None
 Absent: Councilman Friedman

The Mayor announced that the change had been granted to "C" Commercial, Second Height and Area District and the City Attorney was instructed to draw the necessary ordinance to cover.

G and M CATERING
SERVICE, INC.
By Charles Goodnight
C14-71-162

3609 So. Congress Ave.

From "D" Industrial,
Sixth Height and Area Dis-
trict to "C-2" Commercial,
Sixth Height and Area Dis-
trict as recommended by
the Planning Commission

Councilman Nichols moved the change be granted to "C-2" Commercial, Sixth Height and Area District as recommended by the Planning Commission, The motion, seconded by Councilman Love, Carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Handcox, Mayor
Butler
Noes: None
Absent: Councilman Friedman

The Mayor announced that the change had been granted to "C-2" Commercial, Sixth Height and Area District and the City Attorney was instructed to draw the necessary ordinance to cover.

DAVID BARROW
By Bryant Curington
C14-71-171

3619-3725 Far West
Boulevard

From Interim "A", Residence,
First Height and Area Dis-
trict to "GR" General Retail,
Second Height and Area Dis-
trict as recommended by the
Planning Commission

Councilman Nichols moved the change be granted to "GR" General Retail, Second Height and Area District as recommended by the Planning Commission, The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Handcox, Mayor
Butler
Noes: None
Absent: Councilman Friedman

The Mayor announced that the change had been granted to "GR" General Retail, Second Height and Area District and the City Attorney was instructed to draw the necessary ordinance to cover.

CITY OF AUSTIN
C14-71-173

Rear 4319 Manor Rd.

From "A" Residence
to "GR" General Retail
as recommended by the
Planning Commission.

Councilman Nichols moved the change be granted to "GR" General Retail as recommended by the Planning Commission, The motion, seconded by Councilman Love, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Handcox, Mayor Butler
Noes: None
Absent: Councilman Friedman

The Mayor announced that the change had been granted to "GR" General Retail and the City Attorney was instructed to draw the necessary ordinance to cover.

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C. L. REEVES
By Richard Baker
C14-71-167

8205-8225 Sam Rayburn
Drive

From "BB" Residence to
"B" Residence as recom-
mended by the Planning
Commission

Councilman Nichols moved that the change be granted to "B" Residence as recommended by the Planning Commission. The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Handcox, Mayor
Butler
Noes: None
Absent: Councilman Friedman

The Mayor announced that the change had been granted to "B" Residence and the City Attorney was instructed to draw the necessary ordinance to cover.

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HAZEL NELL CLARK
By Dale Ossip Johnson
C14-71-137

304 E. 34th St.

From "BB" Residence
to "B" Residence as recom-
mended by the Planning
Commission as amended

The applicant was represented by Mr. Tim M. Trickey. A letter was filed July 30, expressing the applicant's willingness to accept the amendment to "B" Residence, First Height and Area District. Mr. A. W. CAIN and MRS. VELMA O. MARTIN consequently withdrew opposition. Mr. Cain read a letter of Mr. John Del Curto, stating that he was opposed to any change. It was pointed out by the Planning Director, Mr. Lillie, that apartments could be built there with the present zoning of "BB".

Councilman Nichols moved that the change be granted to "B" Residence as recommended by the Planning Commission. The motion, seconded by Councilman Love, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Handcox, Mayor
Butler
Noes: None
Absent: Councilman Friedman

The Mayor announced that the change had been granted to "B" Residence District and the City Attorney was instructed to draw the necessary ordinance to cover.

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C. BEN HIBBETTS
By Larry Huff
C14-71-140

1201 W. 34th St.

From "C" Commercial,
Second Height and Area
District to "C-2"
Commercial, Second Height
and Area District as
recommended by the
Planning Commission sub-
ject r-o-w on Bailey Lane
to be determined by the
Public Works Department.

Councilman Nichols moved that the change be granted to "C-2" Commercial, Second Height and Area District as recommended by the Planning Commission. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Handcox, Mayor
Butler
Noes: None
Absent: Councilman Friedman

The Mayor announced that the change had been granted to "C-2" Commercial, Second Height and Area District and the City Attorney was instructed to draw the necessary ordinance to cover.

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MRS. LONIE HOPE
By A. R. Richey
C14-71-142

3812-3818 So. 2nd St.

From "A" Residence
to "GR" General Retail as
recommended by the
Planning Commission sub-
ject to subdivision, 10'
of r-o-w on So. 2nd St.,
& r-o-w Banister Ln. to be
determined by the Public
Works Department

Councilman Nichols moved that the change be granted to "GR" General Retail as recommended by the Planning Commission. The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Handcox, Mayor
Butler
Noes: None
Absent: Councilman Friedman

The Mayor announced that the change had been granted to "GR" General Retail and the City Attorney was instructed to draw the necessary ordinance to cover.

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WALTER CARRINGTON
BUILDERS, INC.
By Paul D. Jones
C14-71-144

808 W. 10th St.

From "B" Residence, First
Height and Area District
to "O" Office, Second
Height and Area District
as recommended by the
Planning Commission subject

to r-o-w on W. 10th St.
and West Ave. to be
determined by the Public
Works Department.

Councilman Nichols moved that the change be granted to "O" Office, Second Height and Area District as recommended by the Planning Commission. The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Handcox, Mayor
Butler
Noes: None
Absent: Councilman Friedman

The Mayor announced that the change had been granted to "O" Office, Second Height and Area District and the City Attorney was instructed to draw the necessary ordinance to cover.

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LEON SCHMIDT,
TRUSTEE
By Walter Young
C14-71-147

8555-8561 U.S. Hwy. 183

From Interim "A" Residence
First Height and Area Dis-
trict to "C-2" Commercial,
Fifth Height and Area Dis-
trict as recommended by
the Planning Commission
subject to short form sub-
division

Councilman Nichols moved that the change be granted to "C-2" Commercial, Fifth Height and Area District as recommended by the Planning Commission. The motion, seconded by Councilman Love, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Handcox, Mayor
Butler
Noes: None
Absent: Councilman Friedman

The Mayor announced that the change had been granted to "C-2" Commercial, Fifth Height and Area District and the City Attorney was instructed to draw the necessary ordinance to cover.

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DR. R. V. MURRAY,
JR., ET AL
By Tommy Thomas
C14-71-153

8784-8842 U.S. Hwy 183
1900-1940 & 8701-8739
Peyton Gin Road

From Interim "A" Residence,
First Height and Area Dis-
trict to "GR" General Retail,
First Height and Area Dis-
trict as recommended by the
Planning Commission subject
to 10' r-o-w on Peyton Gin
Road.

Councilman Nichols moved that the change be granted to "GR" General Retail, First Height and Area District as recommended by the Planning Commission. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Handcox, Mayor Butler
Noes: None
Absent: Councilman Friedman

The Mayor announced that the change had been granted to "GR" General Retail, First Height and Area District and the City Attorney was instructed to draw the necessary ordinance to cover.

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JACOBSON, WATSON, 3500-3508 Guadalupe
CLARK 600-606 W. 35th St.
C14-71-154 601-607 Maiden Ln.

From "C" Commercial, Second Height and Area District to "C-2" Commercial, Second Height and Area District as recommended by the Planning Commission subject to 5' r-o-w on W. 35th St.

The Director of Planning said the Building sat on the property line; hence the recommendation of the Planning Commission is to delete the right-of-way requirement.

Councilman Nichols moved that the change be granted, without the r-o-w required, to "C-2" Commercial, Second Height and Area District as recommended by the Planning Commission. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Handcox, Mayor Butler
Noes: None
Absent: Councilman Friedman

The Mayor announced that the change had been granted to "C-2" Commercial, Second Height and Area District and the City Attorney was instructed to draw the necessary ordinance to cover.

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SIDNEY SMITH 1415 W. 51st St.
C14-71-159

From "A" Residence to "O" Office as recommended by the Planning Commission subject to 5' r-o-w on W. 51st St.

(Zoning legalized the existing Office)

Councilman Nichols moved that the change be granted to "O" Office District as recommended by the Planning Commission. The motion, seconded by Councilman Love, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Handcox, Mayor Butler

Noes: None
Absent: Councilman Friedman

The Mayor announced that the change had been granted to "O" Office District and the City Attorney was instructed to draw the necessary ordinance to cover.

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FRANK W. McBEE, JR. 1108-1202 Treadwell
By Joe Cummins
C14-71-160

From "A" Residence and
"C" Commercial to "O"
Office as recommended
by the Planning Commission
subject to short form sub-
division.

Councilman Nichols moved that the change be granted to "O" Office District as recommended by the Planning Commission. The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Handcox, Mayor
Butler
Noes: None
Absent: Councilman Friedman

The Mayor announced that the change had been granted to "O" Office District and the City Attorney was instructed to draw the necessary ordinance.

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J.V. WALDEN 1408-1410 No. Loop
By E. H. Smartt Boulevard
C14-71-161 5301-5205 Joe Sayers
Avenue

From "A" Residence to
"B" Residence as recommended
by the Planning Commission
subject to 5' r-o-w on
Joe Sayers Ave. and 15'
r-o-w on No. Loop Boulevard

Councilman Nichols moved that the change be granted to "B" Residence as recommended by the Planning Commission. The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Leberman, Handcox, Mayor
Butler
Noes: None
Absent: Councilman Friedman

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L. C. REESE 123-129 Cumberland Rd.
C14-71-172 2701-2709 Edens Drive

From "A" Residence to "O"
Office as recommended by
the Planning Commission
subject to 10' of r-o-w on
Edens Dr. and 10' of r-o-w
on Cumberland Rd.

After discussion of widening and improving Edens Drive, Councilman Love moved that the change be granted to "O" Office as recommended by the Planning Commission subject to 5' of r-o-w instead of 10' on Edens. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Mayor Butler
 Noes: None
 Absent: Councilman Friedman
 In Council Room but not Voting: Councilman Handcox

The Mayor announced that the change had been granted to "O" Office District subject to 5' of r-o-w instead of 10' on Edens, and the City Attorney was instructed to draw the necessary ordinance to cover.

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WALTER CARRINGTON 900 Rutland
 C814-71-001

PLANNED UNIT DEVELOPMENT
 RECOMMENDED by the Planning Commission subject to departmental requirements with the exception of the landscape plan which is approved as submitted, and the permission of shifting the location of the parking spaces required for serving the recreation building.

Councilman Love moved the Council grant the Planned Unit Development as recommended by the Planning Commission. The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Lebermann, Handcox
 Noes: None
 Absent: Councilman Friedman
 Not in Council Room when Roll was called: Councilman Love
 Present, but not Voting: Mayor Butler (He owns property adjacent)

The Mayor announced that the Council had granted the Planned Unit Development and the City Attorney was instructed to draw the necessary ordinance to cover.

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BAKER, JONES, CROW Rear of 8700-9000
 By Richard Baker Proposed Loop 360
 C814-71-003

PLANNED UNIT DEVELOPMENT
 RECOMMENDED, subject to departmental requirements, with the acceptance of the entrance way as presented by the applicant, by the Planning Commission.

Councilman Nichols moved the Council grant the Planned Unit Development as recommended by the Planning Commission. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Lebermann, Handcox, Mayor Butler
Noes: None
Absent: Councilman Friedman
Not in Council Room when Roll was called: Councilman Love

The Mayor announced the Council had granted the Planned Unit Development and the City Attorney was instructed to draw the necessary ordinance to cover.

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CATER JOSEPH	1200-1204 E. 51st. St.	From "A" Residence
By Harry Joseph		To "B" Residence
C14-71-088		RECOMMENDED as amended by the Planning Commission

Councilman Nichols moved that the change be granted to "B" Residence as recommended by the Planning Commission. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Handcox, Mayor Butler
Noes: None
Absent: Councilman Friedman

The Mayor announced that the change had been granted to "B" Residence and the City Attorney was instructed to draw the necessary ordinance to cover.

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C. WILLISTON	1801 No. Lamar Blvd.	From "B" Residence
By Philip Overton		2nd Height & Area
& Jack Dempsey		To "O" Office
C14-71-168		2nd Height & Area
		RECOMMENDED by the Planning Commission

Councilman Nichols moved that the change be granted to "O" Office 2nd Height and Area as recommended by the Planning Commission. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Handcox, Mayor Butler
Noes: None
Absent: Councilman Friedman

The Mayor announced that the change had been granted to "O" Office 2nd Height and Area and the City Attorney was instructed to draw the necessary ordinance to cover.

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SID JAGGER
C14-71-170

Tract 1
1800-1900 So. IH 35
1217-1305 Woodland Ave.

From "A" Residence
1st Height & Area
To "GR" General Retail
5th Height & Area
RECOMMENDED by the
Planning Commission

Tract 2
1203-1217 Woodland Ave.

From "A" Residence
To "B" Residence
RECOMMENDED by the
Planning Commission
subject to special permit
and subdivision.

Mr. Richard Baker, Attorney for Mr. Sid Jagger, gave a presentation of the tract to be re-zoned at the intersection of Woodland Drive and IH 35, advising the Council of the petition of surrounding land owners in opposition to this zoning, with a stipulation that if the applicant executed a restrictive covenant, requiring a Special Permit of the portion of land which is to be zoned "GR" General Retail, the opposition would withdraw. The Special Permit had not been filed on the "GR" General Retail portion as the use of the front portion of the property has not been determined pending firm lease arrangements. Apartments will be constructed immediately and a Special Permit has been approved on that portion of land to be zoned "B" Residence.

Mrs. Harriet Buxkemper, 1504 Betty Joe Drive, expressed opposition to the apartment construction, stating that 174 units would not be advantageous in this area, as this is a critical area traffic-wise. Mrs. Jean Mather opposed on behalf of abutting property owners, stating the area was well suited for "A" Residential, but the construction of 174 apartments would devalue the entire area. Opposition was also expressed by Mr. Haver Curry.

Councilman Handcox asked if the proposed plan had been exhibited to the neighbors. Mr. Baker reported Mr. Jagger conducted a meeting of the abutting owners and presented the entire plan to the property owners; and this plan was subsequently approved by the Planning Commission, subject to certain departmental restrictions so that the recommendation of the Planning Commission was unanimously voted subject to certain departmental restrictions.

Councilman Nichols moved that the zoning be granted "GR" General Retail, Fifth Height and Area on Tract 1 and "B" Residence, on Tract 2 as recommended by the Planning Commission and subject to a restrictive covenant and a Special Permit on Tract 1, as well as a Special Permit on Tract 2, and subject to the conversational agreements made between Mr. Jagger and the Planning Departments. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Handcox, Mayor Butler
Noes: None
Absent: Councilman Friedman

The Mayor announced that the zoning had been granted to "GR" General Retail, Fifth Height and Area on Tract 1 and "B" Residence on Tract 2 subject to a restrictive covenant and a Special Permit on Tract 1, as well as a Special Permit on Tract 2, and subject to the conversational agreements made between Mr. Jagger and the Planning Departments.

ZONING HEARINGS CONTINUED

Councilman Nichols moved to continue the following zoning applications until 2:00 P.M., August 19, 1971:

RICKER, BROWN, and HASSELL By Tommy Thomas C14-71-138	7106-7108 Bennett Ave. 919-923 St. Johns Ave.	From "A" Residence To "GR" General Retail NOT Recommended by the Planning Commission
RUBY SMITH By George E. Smith C14-71-141	601-603 Hearn St.	From "A" Residence To "B" Residence NOT Recommended by the Planning Commission
EDWARD JOSEPH By Rodney John Williams C14-71-146	1313 W. 6th St.	From "C" Commercial, 2nd Height & Area To "C92" Commercial, 2nd Height & Area NOT Recommended by the Planning Commission
BOHLS AND McCULLICK By Ken Gully C14-71-148	310 Blackson Ave. 402-408 Blackson Ave. 606-608 Blackson Ave. 403-407 Delmar Ave. 501-503 Delmar Ave.	From "A" Residence, 1st Height & Area To "B" Residence, 2nd Height & Area NOT recommended by the Planning Commission
AUSTIN TEACHERS FEDERAL CREDIT UNION By Arthur Amundson C14-71-149	602 Denson Drive	From "A" Residence To "O" Office NOT Recommended by the Planning Commission
B. J. MASON and JOHN TABOR By Alan Abbe C14-71-156	2101-2103 Ivy Tr. 2104-2110 Ben White Boulevard	From "A" Residence To "GR" General Retail NOT Recommended by the Planning Commission
IRA MOORE By William F. Kemp C14-71-158	2502 Wilson St. 2431-2433 Durwood St.	From "B" Residence To "C" Commercial NOT Recommended by the Planning Commission

RYLANDER'S FORD
VILLAGE
By Chas. Avery
C14-71-164

6931-7115 Manchaca Rd.
1806-1818 Matthews Ln.

From Interim "A" Residence,
1st Height & Area
To "GR" General Retail
1st Height & Area
NOT Recommended by the
Planning Commission
RECOMMENDED "GR" General Re-
tail, 1st Height & Area on
approximately the northern-
most 350' of this tract and
"BB" Residence, 1st Height
& Area on the balance of the
tract, subject to 0 to 5 feet
of r-o-w on Manchaca Rd., 5'
of r-o-w on Matthews Ln., and
5' of r-o-w on Cannon League
Drive.

FOLEY, ET AL
C14-71-165

2000-2004 Melridge Pl.
1201-1207 Bluebonnet Ln.
1200-1204 Bluebonnet Ln.

From "A" Residence
To "AA" Residence
NOT Recommended by the
Planning Commission

LORETA CARTER
By Roane Puett
C14-71-169

4505 Avenue F

From "A" Residence
To "B" Residence
NOT Recommended by the
Planning Commission

The motion, seconded by Councilman Lebermann, carried by the following
vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Handcox
Noes: None
Absent: Councilman Friedman
Not in Council Room when Roll was called: Mayor Butler

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The Council continued the following zoning hearings until next week until
notices of withdrawal are received:

WALTER ORR
By Ed Fleming
C14-71-163

2708 Rio Grande St.

From "O" Office
2nd Height & Area
To "GR" General Retail
2nd Height & Area
NOT Recommended by the
Planning Commission

DR. THOMAS G.
BRADFIELD
By W. D. Young
C14-71-157

501-603 Stassney Ln.

From Interim "A" Residence
1st Height & Area
To "C" Commercial
1st Height & Area
NOT Recommended by the
Planning Commission
RECOMMENDED "LR" Local Retail
1st Height and Area subject
to approximately 30 to 40
feet of r-o-w on Stassney Ln.

ESTABLISHING OFF-STREET PARKING FOR
GRACY TITLE COMPANY

Mr. Dick Jordan, Building Inspector, explained the request from the Gracy Title Company for ten customer parking spaces on the northeast corner of Lavaca, stating this type of operation does not deal with the public but merely with its representatives, and ten spaces would be sufficient. He presented a letter from the Lamar Savings Bank indicating its willingness to enter into a lease providing for such parking spaces. During the discussion, Mayor Butler questioned the number of parking spaces since the request would not include employee parking. Mr. Brandt, owner of Gracy Title Company, reported that after negotiations, he was assured of 15 parking spaces.

Councilman Love moved the Council vote that a minimum of 15 parking spaces be established especially for customers at the site of Gracy Title Company, with the understanding the employees would be taken care of. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Handcox, Mayor
Butler
Noes: None
Absent: Councilman Friedman

BUDGET HEARING - 7:30 P.M., AUGUST 26TH
Crockett High School

Councilman Nichols moved the Council vote to receive the City Manager's Official Budget and set a public hearing at 7:30 P.M., August 26th, 1971, at Crockett High School. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Handcox, Mayor
Butler
Noes: None
Absent: Councilman Friedman

ANNEXATION ORDINANCE

Mayor Butler introduced the following ordinance for its third reading:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 22.85 ACRES OF LAND, SAME BEING PARTLY OUT OF THE WILLIAM CANNON LEAGUE IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

The ordinance was read for its third time and Councilman Nichols moved that it be finally passed. The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Lebermann, Handcox, Mayor Butler
Noes: None
Absent: Councilman Friedman
Not in Council Room when Roll was called: Councilman Love

The Mayor announced that the ordinance had been finally passed.

ZONING ORDINANCE

Mayor Butler introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:
LOTS 1 AND 2, WOODWARD INDUSTRIAL DISTRICT NO. 2, LOCALLY KNOWN AS 407 EAST BEN WHITE BOULEVARD, FROM "A" RESIDENCE DISTRICT TO "D" INDUSTRIAL DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilman Nichols moved the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Lebermann, Handcox, Mayor Butler
Noes: None
Absent: Councilman Friedman
Not in Council Room when Roll was called: Councilman Love

The Mayor announced that the ordinance had been finally passed.

AUTHORITY FOR APPOINTMENTS - ITEM DEFERRED

The Council had before it an ordinance empowering the Hospital Board to make all appointments and reappointments to the Medical Staff of Brackenridge Hospital and to determine all issues relating to the limitation of Medical Staff privileges. Councilman Dryden reported that the Hospital Board heard this matter August 4th, and wanted this to be deferred at this time.

TERMINATION OF EMPLOYMENT

Mayor Butler, on behalf of the entire Council, including Councilman Friedman who is absent today, stated the Council had met in Executive Session and unanimously voted at this Executive Session, 7 to 0 vote, to terminate the employment of Judge Roy Martin as of August 15, and that the Council wanted the Minutes to show this was a unanimous vote, 7 to 0. The City Attorney advised it was proper to take this action in Executive Session, and the City Clerk would be instructed to let the Minutes reflect this action had been taken, showing a 6 to 0 vote, Councilman Friedman having voted affirmatively in Executive Session.

ACKNOWLEDGED RECEIPT OF GIFT - AZALEA GARDEN

The Director of Recreation, Mr. Sheffield, gave a resumé of a gift of \$5,300 having been made to the City of Austin to develop an azalea garden in memory of Mrs. Catherine Parr Hamilton. A beautiful garden was developed, and there is a memorial plaque in Mrs. Catherine Parr Hamilton's name right by the Garden Center Building. Mrs. Oates and her family made a contribution of \$500 cash, and interest on a note on a home, not to expand but to perpetuate the garden.

Councilman Nichols moved the Council vote to receive and acknowledge the gift on behalf of the City of Austin, and that a letter from the Mayor be sent to the donors for this splendid contribution. The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Handcox, Mayor Butler
Noes: None
Absent: Councilman Friedman

ZONING ORDINANCE

The Mayor introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:
A 6,158 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS 3500-3508 GRADALUPE; 600-606 WEST 35TH STREET; 601-607 MAIDEN LANE, FROM "C" COMMERCIAL DISTRICT TO "C-2" COMMERCIAL DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON

THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilman Nichols moved the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Handcox, Mayor
Butler
Noes: None
Absent: Councilman Friedman

The Mayor announced that the ordinance had been finally passed.

ZONING REQUEST TO BE RE-SET
FOR PUBLIC HEARING

The Council had before it the request of Mr. Bob Bailey to appear before the Council regarding setting a public hearing for Zoning Case No. C14-71-006 as follows:

H. MORRIS STEVENS
& JEAN SCHIEFFER
By Hubert H. Rossey
C14-71-006

4002-4030 Airport
Boulevard

From "A" Residence
To "B" Residence
RECOMMENDED by the
Planning Commission
subject to privacy fencing
where the tract abuts
single-family residential
development and the re-
striction of no more than
three curb breaks on Air-
port Boulevard.

Councilman Nichols moved the Council vote that the Zoning Case No. C14-71-006 be returned to the Planning Department for consideration. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Handcox, Mayor
Butler
Noes: None
Absent: Councilman Friedman

FOOT BRIDGES - OAKWOOD CEMETERY

Councilman Nichols moved the Council vote to instruct the City Manager to remove two of the four existing foot-bridges presently located at Oakwood Cemetery, to Zilker Park, at the suggestion of Mrs. Alden Davis and that the City Clerk be instructed to forward a letter of appreciation to Mrs. Davis. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Lebermann, Handcox, Mayor Butler
Noes: None
Absent: Councilman Friedman
Not in Council Room when Roll was called: Councilman Love

The City Manager, in a memo to Mayor Butler, suggested to use the materials of both bridges for the construction of one bridge only.

FLOOD MANAGEMENT STUDY

Councilman Lebermann moved the Council adopt a resolution implementing a Flood Management Study, proposed by Councilman Lebermann. Councilman Nichols suggested that the Council act upon this matter at the next meeting and to make further recommendations. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Lebermann, Handcox, Mayor Butler
Noes: None
Absent: Councilman Friedman
Not in Council Room when Roll was called: Councilman Love

EAST AUSTIN CITIZENS APPEARANCE

Mayor Butler opened the afternoon session with a hearing on "Citizen Communications", with particular reference to the fatal incident concerning Joe Sedillo, on July 31st.

Mr. Gonzalo Barrientos, who had been working on research and recommendations concerning the Police Department, discussed the burglary of a grocery store on Allen Street and the shooting of the youth involved. He referred to the statute, permitting police officers to shoot a person at the location of burglary, and stated that this law was passed in the 1800's and requires a change. He specifically pointed out that citizens of east Austin were no longer willing to "turn the other cheek" and that they would be "no more violent than the police". Mr. Barrientos read a petition, signed by approximately 2,000 citizens, requesting the immediate dismissal of the Police Chief and both officers involved. Mr. Anthony Spear recalled the beating incident of a young girl during the Governor's Inaugural Parade. Mr. Navarro asked that the Council take action to prevent such tragedies in the future. Laura Monti, representing the Austin Socialist Workers Party, also requested the dismissal of Police officials and demanded that the people of east Austin have the authority to hire and fire. Mrs. Mary Daniels asked for the end of police brutality. Steve Russell, a University student, stated that civil court proceedings were not available to the east Austin community due to lack of funds and brought to mind a suit now pending on his behalf, alleging false arrests and harassment by the Austin Police Department. Mr. Larry Jackson asked that a Police Review Board be instituted with representation of all minority groups. He recalled a recent east Austin community meeting at which members of the City Council failed to appear. Mr. Jackson also felt the necessity for Council members to make personal appearances in his area in order to discuss their problems and to establish a better relationship with them. Mr. Edwin Benjamin and Miss Rita Carpenter expressed their opinion and felt that in general treatment of west Austin residents was fairer than that of citizens of east Austin. Mr. Terry Dubose stated that the officers involved in this incident should not be allowed to carry weapons until the completion of an investigation. Mr. Andrew Guerras and Miss Janet Newton also spoke of brutality and felt that Council should take action at this time. Mrs. Sylvia Hendricks suggested a screening of police officers on the force and felt that the Council was "passing the buck". Mrs. Karen Secerns felt that at least one of the Councilmen was elected by the east Austin community, but that cooperation and response should be more effective.

Mayor Butler and Council members indicated that an investigation of the recent incident be conducted and that they will make every effort to achieve a more effective cooperation and understanding with the east Austin Community in the future.

SOUTHWEST AUSTIN TAX APPROPRIATION

Councilman Nichols suggested that with the increase of the southwest Austin tax value, the Tax Commission should immediately undergo thorough review of this and pointed out that present Council is not responsible for such increase.

ADJOURNMENT

The Council adjourned at 4:50 P.M.

APPROVED: _____

Ray Butler
Mayor

ATTEST: _____

Edna Woodley
City Clerk